IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Board of Patent Appeals and Interferences

Applicant   : Barry Lynn Royer

Serial No.   : 09/817,322

Filed   : March 26, 2001

For   : A SYSTEM AND USER INTERFACE SUPPORTING
PROCESSING AND ACTIVITY MANAGEMENT FOR
CONCURRENTLY OPERATING APPLICATIONS

Examiner   : Van H. Nguyen

Art Unit   : 2194

APPEAL BRIEF

May It Please The Honorable Board:

Appellants appeal the Final Rejection, dated March 6, 2006 of Claims 1 - 24 of the above-identified application. The fee of five hundred dollars ($500.00) for filing this Brief and any associated extension fee is to be charged to Deposit Account No. 19-2179. Enclosed is a single copy of this Brief.

Please charge any additional fee or credit any overpayment to the above-identified Deposit Account.

Appellants do not request an oral hearing.

I.   REAL PARTY IN INTEREST

The real party in interest of Application Serial No. 09/817,322 is the Assignee of

record:

Siemens Medical Solutions Health Services Corporation
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II.   RELATED APPEALS AND INTERFERENCES

There is currently a co-pending appeal in related application serial number

09/817,324 wherein a Notice of Appeal has been filed on May 11, 2006. An Appeal Brief

has been filed on June 5, 2006, The present application and the application of the co-

pending appeal claim priority from the same Provisional Application Serial No. 60/261,148.

A Notice of Appeal was filed in application serial number 09/817,320 on August 15,

2005 and as a result, prosecution was re-opened by Non-Final Office Action on March 9,

2006 followed by a subsequent Notice of Appeal on April 12, 2006. A Request for

Continued Examination with a Preliminary Amendment was filed in response thereto on

June 12, 2006.

A Notice of Appeal was filed in application serial number 09/817,323 on July 7,

2005 and as a result, prosecution was re-opened by Non-Final Office Action on March 9,

2006. A response to the Non Final Office Action was filed on June 7, 2006.

The present application and application serial numbers 09/817,323 and 09/817,320

claim priority from the same provisional application serial number 60/261,148.

III.   STATUS OF THE CLAIMS

Claims 1 - 24 are rejected and the rejection of claims 1 – 24 are appealed.

IV.   STATUS OF AMENDMENTS

All amendments were entered and are reflected in the claims included in Appendix I.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1 provides a system for use in a first application, concurrently operating together with a plurality of network compatible applications (page 1, lines 34-36; Figure 2, 200, 230, 250). An entitlement processor enables user access to a first application of a plurality of concurrently operating applications in response to validation of user identification information (page 2, lines 4-6; Figure 2, 220, 200). A communication processor is employed by the first application of the plurality of concurrently operating applications for intermittently communicating an activity indication to a managing application within a timeout window (page 2, lines 6-8; Figure 2, 222, 224, 250). The activity indication is generated in response to user action and is communicated sufficiently often to prevent an inactivity timeout of the first application being initiated during normal operation of the first application by the managing application in response to the timeout window being exceeded (page 2, lines 8-9; Figure 2, 200, 230, 250).

Dependent claim 2 includes the features of independent claim 1 along with the additional feature that the intermittently communicated activity indication prevents an inactivity timeout of the plurality of concurrently operating applications of a particular user initiated session (page 5, lines 24-27; Figure 2, 200, 230, 250).

Dependent claim 3 includes the features of independent claim 1 along with the additional feature that the communication processor stores a plurality of activity indications and sends the plurality of activity indications as a batch to the managing application (page 15, lines 17-22; FIG 11).

Dependent claim 4 includes the features of independent claim 1 along with the additional feature that the normal operation comprises application operation exclusive of abnormal operation comprising an application failure condition (page 15, lines 12-16; Figure 2, 230, 247, 250; Figure 11, 460). The user action comprises at least one of, (a) keyboard activity, (b) mouse activity, (c) other data entry device activity and (d) another user initiated PC application operation activity (page 15, lines 19-22).

Dependent claim 5 includes the features of independent claim 1 along with the additional feature that the first application and the managing application reside in the same PC (page 4, lines 7-9; Figure 2, 220, 230). The activity indication notifies the managing application of activity by the first application and includes one or more of, (a) a session identifier for identifying a particular user initiated session (page 5, lines 28-29; Figure 2, 200, 230, 250), (b) a URL to be contacted if the activity notification is not successful (page 7, lines 21-26; Figure 2, 200), (c) an identification of a type of event preventing the activity notification from being successful (page 7, lines 7-9; Figure 5, 500, 503, 505, 507, 513, 517).

Dependent claim 6 includes the features of independent claim 1 along with the additional feature that the communication processor intermittently communicates activity indications to the managing application using a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining

a user operation session identifier from said managing application and (b) sending a URL to said managing application (page 14, lines 3-8; Figure 9, 900, 903, 911, 913, 917).

Dependent claim 7 includes the features of independent claim 1 along with the additional feature that the communication processor communicates to the managing application a request to receive an activity indication associated with the first application and maintained by the managing application (page 15, lines 24-25; Figure 2, 200, 250). The activity indication indicates time since the last activity update (page 16, lines 2-5; Figure 2, 233, 250, 280).

Dependent claim 8 includes the features of independent claim 1 along with the additional feature that individual applications of the plurality of concurrently operating applications independently intermittently communicate an activity indication to the managing application (page 2, lines 6-7; Figure 2, 222, 250, 224). The communication processor communicates with a browser application providing a user interface display permitting user entry of identification information for validation by the entitlement processor (page 17, lines 11-13; Figure 3; 310, 313, 315).

Dependent claim 9 includes the features of independent claim 1 along with the additional feature that the communication processor communicates a time-out threshold value comprising the timeout window to the managing application (page 2, lines 6-9; Figure 2, 200, 233, 250).

Independent claim 10 provides a system for use by a managing application supporting concurrent operation of a plurality of Internet compatible applications (page 1, lines 34-36; Figure 2, 200, 230, 250). An input processor intermittently receives activity

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indications from a plurality of concurrently operating applications (page 2, lines 10-12; Figure 2, 200, 230). An individual activity indication is generated in response to user action (page 15, lines 3-4; Figure 2, 230, 247, 250). In response to the received activity indications, an activity monitor updates individual activity status indicators, corresponding to the plurality of concurrently operating applications (page 15, lines 22-23; Figure 2, 250, 280). A comparator compares individual activity status indicators with corresponding time-out threshold values to identify an application time-out event indicated by a status indicator exceeding the time-out threshold and occurring during normal operation of an application (page 15, lines 12-16; Figure 2, 230, 250, 247, 237; Figure 11, 460, 463). A communication processor communicates notice of the application time-out event to one of the plurality of concurrently operating applications (page 15, lines 28-30; Figure 2, 250).

Dependent claim 11 includes the features of independent claim 10, along with the additional feature that the activity indications received by the input processor are provided in response to a user action (page 15, lines 12-16; Figure 2, 230, 250, 247; Figure 11, 460). The user action comprises at least one of, (a) keyboard activity, (b) mouse activity, (c) other data entry device and (d) another user initiated PC application operation activity (page 15, lines 19-22).

Dependent claim 12 includes the features of independent claim 10 along with the additional feature that an activity status indicator comprises a time indication identifying when activity of a particular application was last reported (page 16, lines 2-5; Figure 2, 250, 233, 280). The time-out threshold comprises a predetermined time duration (page 16, lines 14-17; Figure 12, 577, 583, 589). The managing application determines the particular

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application to be inactive if the time indication exceeds the time-out threshold (page 17, lines 4-5; Figure 2, 250).

Dependent claim 13 includes the features of independent claim 10 along with the additional feature that the input processor receives activity indications from a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user operation session identifier from said managing application and (b) sending a URL to said managing application (page 14, lines 3-8; Figure 9, 900, 903, 911, 913, 917).

Dependent claim 14 includes the features of independent claim 10 along with the additional feature that the communication processor communicates notice of the application time-out event to applications of the plurality of concurrently operating applications that have previously requested a notification of session termination (page 16, lines 5-7; Figure 2, 250).

Dependent claim 15 includes the features of independent claim 10 along with the additional feature that the communication processor communicates notice of the application time-out event in response to at least one condition of, (a) a received command requesting notification and (b) a received communication from an application session having previously produced a time-out event and (c) automatically upon generation of the time-out event (page 14, lines 31 to page 15, line 6; Figure 2, 211, 230, 247, 250, 283).

Dependent claim 17 includes the features of independent claim 10 along with the additional feature that the corresponding time-out threshold values comprise a common

timeout period for the plurality of concurrently operating applications (page 7, lines 17-18; Figure 5, 520; Figure 2, 200, 250).

Independent claim 19 provides a system supporting concurrent operation of a plurality of Internet compatible applications (page 1, lines 34-36; Figure 2, 200, 230, 250). A browser application provides a user interface display permitting user entry of identification information and commands for a plurality of Internet compatible applications (Figure 3; 310, 313, 315). A managing application receives activity indications from a plurality of concurrently operating applications (page 2, lines 10-12; Figure 2, 200, 230). An individual activity indication is generated in response to user action (page 15, lines 3-4; Figure 2, 230, 247, 250). The plurality of concurrently operating applications is initiated by user commands via the browser user interface (Figure 3; 313, 315). The received activity indications are provided by individual applications sufficiently frequently to prevent an inactivity timeout of the individual applications and during normal operation of an individual application (page 2, lines 8-9; Figure 2, 200, 233, 250).

Dependent claim 20 includes the features of independent claim 19 along with the additional feature that the activity indication notification includes one or more of, (a) an identification of a particular user initiated session (page 5, lines 28-29; Figure 2, 200, 230, 250) (b) a URL to be contacted if said activity notification is not successful (page 7, lines 21-26; Figure 2, 200), (c) an identification of a type of event preventing said activity notification from being successful (page 7, lines 7-9; Figure 5, 500, 503, 505, 507, 513, 517).

Independent claim 22 provides a method in a system supporting concurrent operation of a plurality of network compatible applications (page 1, lines 34-36; Figure 2,

200, 230, 250). Activity indications are intermittently received from a plurality of concurrently operating applications (page 2, lines 10-12; Figure 2, 200, 230). An individual activity indication is generated in response to user action (page 15, lines 3-4; Figure 2, 230, 247, 250). Individual activity status indicators, corresponding to said plurality of concurrently operating applications, are updated in response to said received activity indications (page 15, lines 22-23; Figure 2, 250, 280). Individual activity status indicators are compared with corresponding time-out threshold values to identify an application time-out event indicated by a status indicator exceeding the time-out threshold and occurring during normal operation of an application (page 15, lines 12-16; Figure 2, 230, 250, 247, 237; Figure 11, 460, 463). Notice of the application time-out event is communicated to one of the plurality of concurrently operating applications (page 15, lines 28-30; Figure 2, 250).

Independent claim 23 provides a method employed by a first application operating in a system supporting concurrent operation of a plurality of network compatible applications (page 1, lines 34-36; Figure 2, 200, 230, 250). User access to a first application of a plurality of concurrently operating applications is enabled in response to validation of user identification information (page 17, lines 11-13; Figure 3, 310, 313, 315). Intermittent communication by the first application of an activity indication to a managing application within a timeout window is supported (page 2, lines 7-9; Figure 2, 200, 233, 250). The activity indication notification is generated in response to user action and is communicated sufficiently often to prevent an inactivity timeout of the first application being initiated during normal operation of the first application by the managing application in response to the timeout window being exceeded (page 2, lines 7-9; Figure 2, 200, 233, 250).

Independent claim 24 provides a method in a system supporting concurrent operation of a plurality of network compatible applications (page 1, lines 34-36; Figure 2, 200, 230, 250). Activity indications are intermittently received from a plurality of concurrently operating applications of a particular operating session of a user (page 2, lines 10-12; Figure 2, 200, 230). An individual activity indication is generated in response to user action (page 15, lines 3-4; Figure 2, 230, 247, 250). A single activity status indicator associated with the plurality of concurrently operating applications of the particular operating session is updated in response to the received activity indications (page 15, lines 22-23; Figure 2, 250, 280). The single activity status indicator is compared with a time-out threshold value to identify a time-out event indicated by a status indicator exceeding said time-out threshold and occurring during normal operation of an application (page 15, lines 12-16; Figure 2, 230, 237, 247, 250; Figure 11, 460, 463). The plurality of concurrently operating applications is re-initialized in response to the comparison (page 16, line 35 to page 17, line 1; Figure 2, 230, 250, 259, 215, 237).

VI.   GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. (U.S. Patent No. 6,178,511) in view of Tran (U.S. Patent No. 6,505,238).

VII.   ARGUMENT

Cohen when taken alone or in combination with Tran does not make the present claimed invention unpatentable. Thus, reversal of the Final Rejection (hereinafter termed "rejection") of claims 1-24 under 35 U.S.C. § 103(a) is respectfully requested.

Additionally the Examiner identified that the cross reference related to the application cited in the specification must be updated. Applicant respectfully submits that this will be corrected upon positive disposition of the appeal.

Overview of the Cited References

Cohen provides a single sign-on (SSO) mechanism enabling a given user to access a target application on a target resource in a distributed computer enterprise. One or more configuration directives each identifying a given logon process and any associated methods required to access the target application on the target resource are stored in a preferably global-accessible database (CIM). For each of a set of users, a preferably global-accessible database (PKM) stores user-specific and application-specific information enabling the user to access and logon to one or more target resources. During a particular session, a logon coordinator (LC) mechanism coordinates given user information with the configuration directive to enable the given user to perform a given action with respect to the target application without specifying the given logon process and the application-specific information (see Abstract).

Tran provides a method for allowing remote login to a user's personal workstation. The workstation is a client terminal connected to a server within a network. The method comprises the steps of searching, from a remote location, for a login web page of the network via a web browser and entering a series of login credential information into a particular login request area on the web page. In response to correctly entering the login credential information into the login request area, the user is provided with a graphical user interface (GUI) of the particular user's network terminal and full access to the personal network information such as software applications stored in the memory of the client terminal. (i.e. simulating the user's client terminal GUI and providing full access to locally

stored software and functional elements of the user's client terminal). In a preferred embodiment, the login credential information includes the server site, the user identification, and the user's security password. The search for the particular web page and user's workstation using the login credential information is managed by a directory access protocol (see Abstract).

Rejection of Claims 1-24 under 35 USC 103(a)
over Cohen et al. (U.S. Patent No. 6,178,511) in view of Tran
(U.S. Patent No. 6,505,238)

Reversal of the rejection of claims 1-24 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,178,511 issued to Cohen et al. in view of U.S. Patent 6,505,238 issued to Tran is respectfully requested because the rejection makes crucial errors in interpreting the cited references. The rejection erroneously states that claims 1-24 are made unpatentable by Cohen in view of Tran.

In rejecting claims under 35 U.S.C. § 103, it is incumbent upon the examiner to establish a factual basis to support the legal conclusion of obviousness. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596, 1598 (Fed.Cir. 1988). In so doing, the Examiner is expected to make the factual determinations set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 USPQ 459, 467 (CCPA 1966), and to provide a reason why one having ordinary skill in the pertinent art would have been led to modify the prior art or to combine prior art references to arrive at the claimed invention. Such reason must stem from some teaching, suggestion, or implication in the prior art as a whole or knowledge generally available to one having ordinary skill in the art. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 USPQ2d 1434, 1438 (Fed.Cir. 1988), *cert. denied*, 488 U.S. 825 (1988); *Ashland Oil Inc. v. Delta Resins & Refractories, Inc.*, 776 F.2d 28, 293, 227 USPQ 657, 664 (Fed.Cir. 1985),

cert. denied, 475 U.S. 1017 (1986); *ACS Hosp. Sys., Inc. v. Montefiore Hosp.*, 732 F.2d

1572, 1577, 221 USPQ 929, 933 (Fed.Cir. 1984). These showings by the Examiner are an

essential part of complying with the burden of presenting a *prima facie* case of obviousness.

In re Oetiker, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed.Cir. 1992).

CLAIM 1

The system of claim 1 includes "a communication processor employed by said first

application of said plurality of concurrently operating applications for intermittently

communicating an activity indication to a managing application within a timeout window."

The "activity indication" is "communicated sufficiently often to prevent an inactivity

timeout of said first application being initiated during **normal operation** of said first

application by said managing application in response to said timeout window being

exceeded." Cohen (with Tran) does not suggest such features. As recognized in the

Rejection page 3, Cohen does not teach a system able to prevent "an inactivity timeout of

said first application being initiated during **normal operation** of said first application."

Applicant respectfully submits that the Examiner is incorrect in maintaining on page 8 of

the Rejection that Tran (with Cohen) teaches a system able to "prevent an inactivity

timeout of said first application being initiated during **normal operation** of said first

application" by a "managing application" in response to a "timeout window being

exceeded."

Tran, in column 9 lines 14, 23 and lines 42-62 relied on in the Rejection, describes a

system for searching "its database to find the web page of the network server" or a

"network's general web site." In the "illustrative example, for IBM organization, LDAP

begins the search for the userid at the first IBM location in the database (Austin) and

continues sequentially through the different IBM locations...If one of the locations is

unavailable (for example, the network server is down), the process continues to the next location after a timeout condition is reached. For illustrative purposes, this timeout condition may occur after 5 seconds or after 5 tries to access the server or network at a location is unsuccessful. The timeout condition is used to prevent the search from stalling at an unaccessible location. A check is made for the occurrence of a timeout so that the process continues smoothly" (Tran column 9 lines 43-57).

Contrary to the assertions made in the Office Action and the response to Applicant's arguments, the Tran (with Cohen) timeout function is **fundamentally different** to the claimed system and comprises a different function employed in a different manner to achieve a different result that addresses a different problem. The re-try or timeout system of Tran, relied on in the Rejection, addresses an **abnormal** condition, specifically, "this timeout condition may occur after 5 seconds or after 5 tries to access the server or network at a location is **unsuccessful**" to "prevent the search from **stalling** at an **unaccessible** location" (Tran column 9 lines 52-56) and is not related to "**normal operation**" of a "first application" at all. In the Tran system, an LDAP compatible application searches for a "web page of the network server" or a "network's general web site" ("LDAP begins the search for the userid at the first IBM location in the database (Austin) and continues sequentially through the different IBM locations...timeout condition may occur after 5 seconds or after 5 tries" by the LDAP application "to access the server or network" (Tran column 9 lines 45-55)). Consequently, the timeout condition occurs in response to a periodic clock measurement i.e., of "5 seconds" or a re-try count "after 5 tries" by the LDAP **application** and **independently** of **user initiated activity** and is NOT an indicator of "**activity**" but merely that a search by an LDAP application has timed out due to an **abnormal** (e.g. an "**unaccessible**" location) condition.

The timeout condition in Tran is generated even when there is no user activity in the LDAP application. Therefore, the Cohen with Tran system does not suggest a "first application" of a "plurality of concurrently operating applications for intermittently communicating an **activity** indication" generated "in response to **user action**" to "a managing application" to "prevent an inactivity timeout" of the "first application being initiated during **normal operation** of said first application". Further, Tran (with Cohen) fails to show or suggest generation of an "activity indication" in response "to **user action** and being communicated sufficiently often to prevent an inactivity timeout of said first application being initiated **during normal operation** of said first application by said managing application in response to said timeout window being exceeded." Also, since the Tran (with Cohen) timeout condition is generated by an application **independent** of **user** action, the Cohen with Tran system is incapable of "monitoring and controlling a duration of a **user** session," in contrast to the claimed arrangement.

The re-try or timeout system of Tran (with Cohen), relied on in the Rejection, addresses an **abnormal** condition, specifically, "this timeout condition may occur after 5 seconds or after 5 tries to access the server or network at a location is **unsuccessful**" to "prevent the search from **stalling** at an **unaccessible** location" (Tran column 9 lines 52-56) and is not related to "**normal operation**" of a "first application." In contrast, in the claimed arrangement, a "first application" of a "plurality of concurrently operating applications" intermittently communicates "an **activity** indication" generated "in response to **user action**" to "prevent an **inactivity** timeout" of the "first application being initiated" during "normal operation of said first application" in response to the "timeout window being exceeded." The communicated "activity indication" is used to identify a "**normal**" condition of user inactivity in employing an application, whereas the Cohen with Tran system identifies a purely **abnormal** condition comprising a failure circumstance. Further,

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incorporating the re-try timeout mechanism of Tran into the Single Sign On system of Cohen, as suggested in the Rejection, results in a system for detecting an **abnormal** condition during user Logon and initiates a timeout "after 5 seconds or after 5 tries" for example, when it is "unsuccessful" in accessing a server or network, and thus can only detect a **failure condition**. This combined system is incapable of preventing "**inactivity** timeout" of a "first application being initiated" in response to **user inactivity**. Additionally, Applicant further respectfully submits that there is no reason or motivation to combine the systems disclosed by Cohen and Tran. Cohen and Tran are mutually incompatible systems, as Tran provides no 35 USC 112 enabling disclosure of single-sign on mechanism, as required for proper operation of the Cohen system. Thus Cohen and Tran would produce an inoperable system as neither discloses nor suggests the claimed arrangement.

The re-try timeout mechanism of Cohen with Tran addresses the problem of managing an **abnormal** condition and detecting a **failure condition** during user Logon by initiating a timeout condition "after 5 seconds or after 5 tries" that are "unsuccessful" in accessing a server or network, for example, (Tran column 9 lines 52-56) and does not recognize, contemplate or address the problems of application **inactivity** management under "**normal**" operating conditions. Therefore, Cohen with Tran provides no problem recognition, motivation, or other reason for incorporating the claimed features. Consequently withdrawal of the Rejection of claim 1 under 35 USC 103(a) is respectfully requested.

CLAIM 2

Dependent claim 2 is considered to be patentable based on its dependence on claim 1. Claim 2 is also considered to be patentable because Cohen with Tran does not show or

suggest use of an "intermittently communicated activity indication" that "prevents an **inactivity** timeout of said plurality of concurrently operating applications of a particular **user initiated session**" (of potentially multiple sessions operating on the computer).

As previously explained in connection with claim 1, Cohen with Tran fails to teach or suggest "a managing application" for initiating "an **inactivity** timeout" of a "plurality of concurrently operating applications of a particular **user initiated session**" in response to lack of "**user action**". As described in column 9, lines 43-56 of Tran, Tran (with Cohen) timeout operates based on the system being unable to access the server or network after a predetermined time or number of tries. The system's inability to access the server is not in response to lack of "**user action**" as in the present claimed invention. Thus, the Cohen with Tran timeout operates independently of an inactivity indication generated due to lack of "user action". Consequently withdrawal of the Rejection of claim 2 under 35 USC 103(a) is respectfully requested.

CLAIM 3

Dependent claim 3 is considered to be patentable based on its dependence on claim 1. Claim 3 is also considered to be patentable because Cohen with Tran does not show or suggest use of a "communication processor" that "stores a plurality of activity indications and sends said plurality of **activity** indications as a **batch** to said managing application" as recited in the present claimed invention.

Contrary to the Rejection statement on page 4, Cohen (with Tran) in column 6 lines 38-59 does not mention a "batch" mode at all and neither reference alone or together suggests generating an "activity indication" in response "to **user action** and being communicated sufficiently often to prevent an inactivity timeout of said first application being initiated during **normal** operation". Rather, this passage of Cohen merely describes a

mechanism for allowing different passwords for different target systems and applications and only requiring the user to remember one password to log into the mechanism. Neither reference alone or together provides a 35 USC 112 compliant enabling description or suggestion of such a "batch" mode. Consequently withdrawal of the Rejection of claim 3 under 35 USC 103(a) is respectfully requested.

CLAIM 4

Dependent claim 4 is considered to be patentable based on its dependence on claim 1. Claim 4 is also considered to be patentable because Cohen with Tran does not show or suggest "said normal operation comprises application operation **exclusive** of **abnormal** operation comprising an application **failure** condition and said user action comprises at least one of, (a) keyboard activity, (b) mouse activity, (c) other data entry device activity and (d) another user initiated PC application operation activity" as recited in the present claimed invention. As previously explained, the Tran (with Cohen) system is responsive to an **abnormal** condition, specifically, "this timeout condition may occur after 5 seconds or after 5 tries to access the server or network at a location is **unsuccessful**" to "prevent the search from **stalling** at an **unaccessible** location" (Tran column 9 lines 52-56) and is not related to "**normal operation**" and is also independent of **user** action. Cohen in column 6 and column 10 or elsewhere with Tran fails to suggest "intermittently" communicating an "**activity** indication to said managing application in response to a **user action**" at all. Rather, column 10, as cited in the Rejection, describes the interaction of the SSO with given application or sub-systems. Column 6, lines 8-18, cited in the Rejection, merely describes a user's local logon being authenticated to the authentication service that is integrated with the password storage service. Applicant respectfully submits that contrary to the assertions in the Rejection, these passages and elsewhere make absolutely no mention or even suggestion of "intermittently" communicating an "**activity** indication to

said managing application in response to a **user action**" at all. Consequently withdrawal of the Rejection of claim 4 under 35 USC 103(a) is respectfully requested.

CLAIM 5

Dependent claim 5 is considered to be patentable based on its dependence on claim 1. Claim 5 is also considered to be patentable because Cohen with Tran does not show or suggest a system in which the "first application and said managing application reside in the same PC" and "said **activity** indication notifies said managing application of activity by said first application and includes one or more of, (a) a session identifier for identifying a particular user initiated session, (b) a URL to be contacted if said activity notification is not successful, (c) an identification of a type of event preventing said activity notification from being successful". Cohen (in column 5 line 30 to column 6 line 7 relied on) with Tran fails to suggest an "activity indication" that "notifies" a "managing application of activity by said first application and includes one or more of, (a) a **session identifier** for identifying a particular user initiated session, (b) a **URL** to be contacted if said activity notification is not successful, (c) an identification of a **type of event** preventing said activity notification from being successful". Rather, this passage merely describes the user-specific application data included in the personal key manager (PKM). Consequently withdrawal of the Rejection of claim 5 under 35 USC 103(a) is respectfully requested.

CLAIM 6

Dependent claim 6 is considered to be patentable based on its dependence on claim 1. Claim 6 is also considered to be patentable because Cohen (in column 5 line 30 to line 40 relied on in the Rejection) with Tran does not show or suggest a system in which a "communication processor intermittently communicates **activity** indications to said managing application using a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user

operation session identifier from said managing application and (b) sending a URL to said managing application" as recited in the present claimed invention. Rather, this passage describes the user-specific application data contained in the personal key manager, namely the target name, target type, domain/host/application name, user id, and key information. There is no mention or even suggestion in this passage, and elsewhere in Cohen (with Tran) of any "activity indications," nor is there any mention or suggestion of a "communication processor intermittently communicates **activity** indications to said managing application using a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user operation session identifier from said managing application and (b) sending a URL to said managing application" as recited in the present claimed invention. Consequently withdrawal of the Rejection of claim 6 under 35 USC 103(a) is respectfully requested.

CLAIM 7

Dependent claim 7 is considered to be patentable based on its dependence on claim 1. Claim 7 is also considered to be patentable because Cohen with Tran does not show or suggest a system in which a "communication processor communicates to said managing application a request to receive an **activity** indication associated with said first application and maintained by said managing application, said activity indication indicating time since the last activity update". The Cohen with Tran re-try timeout mechanism is **independent** of **user** action since an LDAP application initiates a timeout condition "after 5 seconds or after 5 tries" that are "unsuccessful" in accessing a server or network, for example, (Tran column 9 lines 52-56) independently of user activity. Cohen with Tran fails to suggest a "communication processor" that "communicates to said managing application a **request to receive an activity indication** associated with said first application and maintained by said managing application, said activity indication indicating time since the last activity

update". Cohen with Tran fails to suggest use of a centralized "managing application" for activity management at all, does not contemplate such a feature and is incapable of user based activity management. Cohen in column 8 lines 45-67 relied on in the Rejection fails to suggest such features and merely describes the method to avoid target passwords from being revealed to a single sign on administrator (or others). Consequently withdrawal of the Rejection of claim 7 under 35 USC 103(a) is respectfully requested.

CLAIM 8

Dependent claim 8 is considered to be patentable based on its dependence on claim 1. Claim 8 is also considered to be patentable because Cohen with Tran does not show or suggest a system in which "individual applications of said plurality of concurrently operating applications independently intermittently communicate an **activity** indication to said managing application and said communication processor communicates with a browser application providing a user interface display permitting user entry of identification information for validation by said entitlement processor". Cohen in columns 6 and 7 and Figure 5 relied on in the Rejection, with Tran, fails to suggest "**individual applications** of said plurality of concurrently operating applications" that "**independently** intermittently communicate an **activity** indication to said managing application". Cohen with Tran also fails to suggest use of a centralized "managing application" for activity management at all. Consequently withdrawal of the Rejection of claim 8 under 35 USC 103(a) is respectfully requested.

CLAIM 9

Dependent claim 9 is considered to be patentable based on its dependence on claim 1. Claim 9 is also considered to be patentable because Cohen with Tran does not show or suggest a system in which "said communication processor communicates a time-out threshold value comprising said timeout window to said managing application". Cohen in

column 11, with Tran, fails to suggest a "communication processor" that "communicates a **time-out threshold value** comprising said timeout window to said managing application" for user responsive **activity** management. Consequently withdrawal of the Rejection of claim 9 under 35 USC 103(a) is respectfully requested.

CLAIMS 10, 16 and 18

Independent claim 10 recites a system for "use by a managing application supporting concurrent operation of a plurality of Internet compatible applications" comprising "an input processor for intermittently receiving activity indications from a plurality of concurrently operating applications, an individual activity indication being generated in response to user action; an activity monitor for updating individual activity status indicators, corresponding to said plurality of concurrently operating applications, in response to said received activity indications; a comparator for comparing individual activity status indicators with corresponding time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during normal operation of an application; and a communication processor for communicating notice of said application time-out event to one of said plurality of concurrently operating applications." These features are not shown or suggested in Cohen with Tran. Independent claim 10 is considered to be patentable for reasons given in connection with claim 1 and other preceding claims.

Claim 10 is also considered to be patentable because Cohen with Tran does not show or suggest a system used "by a managing application" involving "intermittently receiving **activity** indications from a plurality of concurrently operating applications, an individual activity indication being generated in response to **user action**" and including an "activity monitor for updating individual activity status indicators, corresponding to said

plurality of concurrently operating applications, in response to said received activity indications". Cohen in column 8 and Figure 5 relied on in the Rejection, with Tran, fails to suggest a system used "by a managing application" involving "intermittently receiving activity indications from a plurality of concurrently operating applications" and "an individual activity indication being generated in response to user action" and including an "activity monitor for **updating individual activity status indicators**, corresponding to said plurality of concurrently operating applications, in response to said received activity indications". Cohen with Tran fails to suggest "a comparator for comparing individual" user responsive "**activity** status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application; and a communication processor for communicating notice of said application time-out event to one of said plurality of concurrently operating applications". Rather, Figure 5 of Cohen, relied on in the rejection, merely describes a screen displaying the systems/applications (targets) the user is able to logon to and the status of the logon process, namely whether the user is logged in to the target or not. There is no indication or even suggestion of activity status indicators, let alone "**activity** status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application; and a communication processor for communicating notice of said application time-out event to one of said plurality of concurrently operating applications" as recited in the present claimed invention.

Contrary to the assertions in the rejection, Column 8, lines 45-62 of Cohen neither discloses nor suggests "an activity monitor for updating individual activity status indicators, corresponding to said plurality of concurrently operating applications, in

response to said received activity indications," as recited in the present claimed invention. Rather, this passage of Cohen (with Tran) merely describes avoiding "target passwords being revealed to SSO administrators (or others)" by encrypting the password field with a master key. This makes absolutely no mention or even suggestion of **"updating individual activity status indicators**, corresponding to said plurality of concurrently operating applications, in response to said received activity indications" as recited in the present claimed invention. Further, Cohen is concerned with providing a mechanism for allowing different passwords for different target systems and applications and only requiring the user to remember one password to log into the mechanism. This is wholly unlike the present claimed invention which is concerned with monitoring the activity status of concurrently operating applications for time-out events. Cohen with Tran fails to disclose or suggest "receiving activity indications...generated in response to user action," **updating individual activity status indicators**" and "comparing individual **activity** status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application."

The re-try timeout mechanism of Cohen with Tran addresses the problem of managing an **abnormal** condition and detecting a **failure condition** during user Logon by initiating a timeout condition "after 5 seconds or after 5 tries" that are "unsuccessful" in accessing a server or network, for example (Train column 9, lines 52-56) and does not recognize, contemplate or address the problems of application **inactivity** management under "**normal**" operating conditions. Therefore, Cohen with Tran provides no problem recognition, motivation, or other reason for incorporating the claimed features. Consequently withdrawal of the Rejection of claim 10 under 35 USC 103(a) is respectfully requested.

Dependent claims 16 and 18 are considered to be patentable based on their dependence on independent claim 10. Therefore, the arguments presented above with respect to claim 10 also apply to claims 16 and 18. Thus, withdrawal of the Rejection of claims 16 and 18 under 35 USC 103(a) is respectfully requested.

CLAIM 11

Dependent claim 11 is considered to be patentable based on its dependence on claim 10. Claim 11 is also considered to be patentable because Cohen with Tran does not show or suggest "said activity indications received by said input processor are provided in response to user action and said user action comprises at least one of, (a) keyboard activity, (b) mouse activity, (c) other data entry device activity and (d) another user initiated PC application operation activity" as recited in the present claimed invention. As previously explained, the Tran (with Cohen) system is responsive to an **abnormal** condition, specifically, "this timeout condition may occur after 5 seconds or after 5 tries to access the server or network at a location is **unsuccessful**" to "prevent the search from **stalling** at an **unaccessible** location" (Tran column 9 lines 52-56) and is not related to "**normal operation**" and is also independent of **user** action. Cohen in column 6 and column 10 or elsewhere with Tran fails to suggest communicating an "**activity** indication" "received by said input processor" "in response to a **user action**" at all. Rather, column 10, as cited in the Rejection, describes the interaction of the SSO with given application or sub-systems. Column 6, lines 8-18, cited in the Rejection, merely describes a user's local logon being authenticated to the authentication service that is integrated with the password storage service. Applicant respectfully submits that contrary to the assertions in the Rejection, these passages and elsewhere make absolutely no mention or even suggestion of communicating an "**activity** indication" "received by said input processor" "in response to

a **user action**" at all. Consequently withdrawal of the Rejection of claim 11 under 35 USC 103(a) is respectfully requested.

<div align="center">CLAIM 12</div>

Dependent claim 12 is considered to be patentable based on its dependence on claim 10. Claim 12 is also considered to be patentable because Cohen, in column 11 relied on or elsewhere, with Tran, does not show or suggest a system in which "an **activity** status indicator comprises a time indication identifying when activity of a particular application was last reported, and said time-out threshold comprises a predetermined time duration and said managing application determines said particular application to be inactive if said time indication exceeds said time-out threshold". Cohen with Tran fails to suggest communication of "an activity status indicator" that comprises a "time indication identifying when **activity** of a particular application was **last reported**, and said time-out threshold comprises a predetermined time duration and said managing application determines said particular application to be inactive if said time indication exceeds said time-out threshold". Column 11, beginning at line 35, merely describes having a minimum timeout and a maximum time out, indicating the amount of time the SSO should wait for a function to run. There is no mention or even suggestion of a "time indication identifying when **activity** of a particular application was **last reported**," as recited in the present claimed invention. Cohen with Tran fail to suggest use of a centralized "managing application" for activity management, nor does Cohen with Tran describe any ability (or any suggestion) to process user responsive **activity** indications for **individual** executable applications at all. Consequently withdrawal of the Rejection of claim 12 under 35 USC 103(a) is respectfully requested.

CLAIM 13

Dependent claim 13 is considered to be patentable based on its dependence on claim 10. Claim 13 is also considered to be patentable because Cohen (in column 5 line 30 to line 40 relied on in the Rejection) with Tran does not show or suggest a system in which the "input processor receives **activity** indications from a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user operation session identifier from said managing application and (b) sending a URL to said managing application" as recited in the present claimed invention. Rather, this passage describes the user-specific application data contained in the personal key manager, namely the target name, target type, domain/host/application name, user id, and key information. There is no mention or even suggestion in this passage, and elsewhere in Cohen (with Tran) of any "activity indications," nor is there any mention or suggestion that an "input processor receives **activity** indications from a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user operation session identifier from said managing application and (b) sending a URL to said managing application" as recited in the present claimed invention. Consequently withdrawal of the Rejection of claim 13 under 35 USC 103(a) is respectfully requested.

CLAIM 14

Dependent claim 14 is considered to be patentable based on its dependence on claim 10. Claim 14 is also considered to be patentable because Cohen in column 6 lines 1-7 relied or elsewhere, with Tran, does not show or suggest a feature combination in which "said communication processor communicates **notice** of said application time-out event to applications of said plurality of concurrently operating applications that have previously requested a notification of session termination". Rather, this passage merely describes

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application specific information, including interfaces needed to perform operations like logon and logoff, timeouts and retry counts and client specific information on how to locate the application interface code. Information including timeouts and retry counts is not equivalent to **communicating** "**notice** of said application time-out event to applications of said plurality of concurrently operating applications that have previously requested a notification of session termination". Cohen with Tran fail to suggest use of a centralized "managing application" for activity management, nor does Cohen with Tran describe any ability (or any suggestion) to process user responsive **activity** indications, for **individual** executable applications, at all. Consequently withdrawal of the Rejection of claim 14 under 35 USC 103(a) is respectfully requested.

CLAIM 15

Dependent claim 15 is considered to be patentable based on its dependence on claim 10. Claim 15 is also considered to be patentable because Cohen with Tran does not show or suggest a system in which "said communication processor communicates notice of said application time-out event in response to at least one condition of, (a) a received command requesting notification and (b) a received communication from an application session having previously produced a time-out event and (c) automatically upon generation of said time-out event" as recited in the present claimed invention. Cohen in column 5 line 59 to column 6 line7 or elsewhere relied on, with Tran, fails to suggest communication of "**notice** of said application time-out event" resulting from user **inactivity** in "response to at least one condition of, (a) a **received command** requesting notification and (b) a **received communication** from an application session having previously produced a time-out event and (c) **automatically** upon **generation** of said time-out event" as recited in the present claimed invention. This passage of Cohen merely describes application specific information contained in a second database. The information includes the target type, the

default program, specific application information, program preferences and an interface directory. The program preferences including timeouts and retry counts is not equivalent to communicating "**notice** of said application time-out event" resulting from user **inactivity** in "response to at least one condition of, (a) a **received command** requesting notification and (b) a **received communication** from an application session having previously produced a time-out event and (c) **automatically** upon **generation** of said time-out event" as recited in the present claimed invention. Further, Cohen with Tran fails to suggest use of a centralized "managing application" for communication of "notice of said application time-out event" based on user inactivity in an application. Consequently withdrawal of the Rejection of claim 15 under 35 USC 103(a) is respectfully requested.

CLAIM 17

Dependent claim 17 is considered to be patentable based on its dependence on claim 10. Claim 17 is also considered to be patentable because Cohen with Tran does not show or suggest a system in which "said corresponding time-out threshold values comprise a common timeout period for said plurality of concurrently operating applications". Cohen, in column 11, beginning on line 35, relied on in the rejection or elsewhere, with Tran, merely describes the inclusion of a minimum amount of time and a maximum amount of time the SSO should wait for a function to complete before returning and fails to suggest a system in which "said corresponding time-out threshold values" comprise a "**common** timeout period for said **plurality of concurrently** operating applications" for use in user responsive **activity** management. Cohen with Tran fails to suggest use of a centralized "managing application" employing "a common timeout period for said plurality of concurrently operating applications" for executable application **activity** management at all.

Consequently withdrawal of the Rejection of claim 17 under 35 USC 103(a) is respectfully requested.

CLAIMS 19 and 21

Independent claim 19 recites a system "supporting concurrent operation of a plurality of Internet compatible applications comprising "a browser application providing a user interface display permitting user entry of identification information and commands for a plurality of Internet compatible applications; and a managing application for receiving activity indications from a plurality of concurrently operating applications, an individual activity indication being generated in response to **user action**, said plurality of concurrently operating applications being initiated by user commands via said browser user interface, said received activity indications being provided by individual applications sufficiently frequently to prevent an inactivity timeout of said individual applications and during **normal operation** of an individual application". Claim 19 is considered to be patentable for reasons given in connection with claims 1, 4 and 10.

The Tran (with Cohen) timeout function is **fundamentally different** to the claimed system and comprises a different function employed in a different manner to achieve a different result that addresses a different problem. The re-try or timeout system of Tran, relied on in the Rejection, addresses an **abnormal** condition, specifically, "this timeout condition may occur after 5 seconds or after 5 tries to access the server or network at a location is **unsuccessful**" to "prevent the search from **stalling** at an **unaccessible** location" (Tran column 9 lines 52-56) and is not related to "**normal operation**" of an "individual application" at all. In the Tran system, an LDAP compatible application searches for a "web page of the network server" or a "network's general web site" ("LDAP begins the search for the userid at the first IBM location in the database (Austin) and continues

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sequentially through the different IBM locations...timeout condition may occur after 5 seconds or after 5 tries" by the LDAP application "to access the server or network" (Tran column 9 lines 45-55)). Consequently, the timeout condition occurs in response to a periodic clock measurement i.e., of "5 seconds" or a re-try count "after 5 tries" by the LDAP **application** and **independently** of **user initiated activity** and is NOT an indicator of "**activity**" but merely that a search by an LDAP application has timed out due to an **abnormal** (e.g. an "**unaccessible**" location) condition.

The timeout condition in Tran is generated even when there is no user activity in the LDAP application. Therefore, the Cohen with Tran system does not suggest an "individual activity application" of a "plurality of concurrently operating applications for receiving **activity** indication" generated "in response to **user action**" to "a managing application" to "prevent an inactivity timeout" of the "individual application being initiated during **normal operation** of an individual application". Further, Tran (with Cohen) fails to show or suggest generation of an "activity indication" in response "to **user commands**...and being provided by individual applications sufficiently frequently to prevent an inactivity timeout of said individual applications and **during normal operation** of an individual application." Also, since the Tran (with Cohen) timeout condition is generated by an application **independent** of **user** action, the Cohen with Tran system is incapable of "monitoring and controlling a duration of a **user** session," in contrast to the claimed arrangement.

The re-try or timeout system of Tran (with Cohen), relied on in the Rejection, addresses an **abnormal** condition, specifically, "this timeout condition may occur after 5 seconds or after 5 tries to access the server or network at a location is **unsuccessful**" to "prevent the search from **stalling** at an **unaccessible** location" (Tran column 9 lines 52-56) and is not related to "**normal operation**" of an "individual application." In contrast, in the

claimed arrangement, an "individual application" of a "plurality of concurrently operating applications" communicates "an **activity** indication" generated "in response to **user action**" to "prevent an **inactivity** timeout" of the "individual application" during "normal operation of an individual application." The communicated "activity indication" is used to identify a "**normal**" condition of user inactivity in employing an application, whereas the Cohen with Tran system identifies a purely **abnormal** condition comprising a failure circumstance. Further, incorporating the re-try timeout mechanism of Tran into the Single Sign On system of Cohen, as suggested in the Rejection, results in a system for detecting an **abnormal** condition during user Logon and initiates a timeout "after 5 seconds or after 5 tries" for example, when it is "unsuccessful" in accessing a server or network, and thus can only detect a **failure condition**. This combined system is incapable of preventing "**inactivity** timeout" of an "individual application" in response to **user inactivity**.

The re-try timeout mechanism of Cohen with Tran addresses the problem of managing an **abnormal** condition and detecting a **failure condition** during user Logon by initiating a timeout condition "after 5 seconds or after 5 tries" that are "unsuccessful" in accessing a server or network, for example, (Tran column 9 lines 52-56) and does not recognize, contemplate or address the problems of application **inactivity** management under "**normal**" operating conditions. Therefore, Cohen with Tran provides no problem recognition, motivation, or other reason for incorporating the claimed features.

Further, contrary to the Rejection statement on page 6 Cohen, in Column 6 line 19 et seq. and Figure 5 does not mention an Internet compatible browser at all, but instead mentions a graphical user interface, which is not equivalent. Thus, Applicant respectfully submits that the assertion in the Rejection that "Cohen further teaches a browser

application" is incorrect. Consequently withdrawal of the Rejection of claim 19 under 35 USC 103(a) is respectfully requested.

Dependent claim 21 is considered to be patentable based on its dependence on independent claim 19. Therefore, the arguments presented above with respect to claim 19 also apply to claim 21. Thus, withdrawal of the Rejection of claim 21 under 35 USC 103(a) is respectfully requested.

<u>CLAIM 20</u>

Dependent claim 20 is considered to be patentable based on its dependence on claim 1. Claim 20 is also considered to be patentable because Cohen with Tran does not show or suggest a system in which "said **activity** indication notification includes one or more of, (a) an identification of a particular user initiated session, (b) a URL to be contacted if said activity notification is not successful, (c) an identification of a type of event preventing said activity notification from being successful". Cohen (in column 5 line 30 to column 6 line 7 relied on) with Tran fails to suggest an "activity indication notification" that "includes one or more of, (a) an identification of a particular user initiated session, (b) a **URL** to be contacted if said activity notification is not successful, (c) an identification of a **type of event** preventing said activity notification from being successful". Rather, this passage merely describes the user-specific application data included in the personal key manager (PKM). Consequently withdrawal of the Rejection of claim 20 under 35 USC 103(a) is respectfully requested.

CLAIM 22

Claim 22 recites a method used in "a system supporting concurrent operation of a plurality of network compatible applications" comprising the activities of "intermittently receiving activity indications from a plurality of concurrently operating applications, an individual activity indication being generated in response to user action; updated individual activity status indicators, corresponding to said plurality of concurrently operation applications, in response to said received activity indications; comparing individual activity status indicators with corresponding time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during normal operation of an application; and communicating notice of said application time-out event to one of said plurality of concurrently operation applications." These features are neither shown nor suggested by Cohen with Tran.

Cohen in column 8 and Figure 5 relied on in the Rejection, with Tran, fails to suggest a method involving "intermittently receiving activity indications from a plurality of concurrently operating applications" and "an individual activity indication being generated in response to user action" and including the activity of "**updating individual activity status indicators**, corresponding to said plurality of concurrently operating applications, in response to said received activity indications". Cohen with Tran fails to suggest the activity of "comparing **individual activity** status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application; and communicating notice of said application time-out event to one of said plurality of concurrently operating applications". Rather, Figure 5 of Cohen, relied on in the rejection, merely describes a screen displaying the systems/applications (targets) the user is able to logon to and the status of the logon process, namely whether the user is logged in to the

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target or not. There is no indication or even suggestion of individual activity status indicators, let alone "**individual activity** status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application; and communicating notice of said application time-out event to one of said plurality of concurrently operating applications" as recited in the present claimed invention.

Contrary to the assertions in the rejection, Column 8, lines 45-62 of Cohen neither discloses nor suggests "updating individual activity status indicators, corresponding to said plurality of concurrently operating applications, in response to said received activity indications," as recited in the present claimed invention. Rather, this passage of Cohen (with Tran) merely describes avoiding "target passwords being revealed to SSO administrators (or others)" by encrypting the password field with a master key. This makes absolutely no mention or even suggestion of "**updating individual activity status indicators**, corresponding to said plurality of concurrently operating applications, in response to said received activity indications" as recited in the present claimed invention. Further, Cohen is concerned with providing a mechanism for allowing different passwords for different target systems and applications and only requiring the user to remember one password to log into the mechanism. This is wholly unlike the present claimed invention which is concerned with monitoring the activity status of concurrently operating applications for time-out events. Cohen with Tran fail to disclose or suggest "receiving activity indications…generated in response to user action," "**updating individual activity status indicators**" and "comparing individual **activity** status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application."

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The re-try timeout mechanism of Cohen with Tran addresses the problem of managing an **abnormal** condition and detecting a **failure condition** during user Logon by initiating a timeout condition "after 5 seconds or after 5 tries" that are "unsuccessful" in accessing a server or network, for example (Train column 9, lines 52-56) and does not recognize, contemplate or address the problems of application **inactivity** management under "**normal**" operating conditions. Therefore, Cohen with Tran provides no problem recognition, motivation, or other reason for incorporating the claimed features. Consequently withdrawal of the Rejection of claim 22 under 35 USC 103(a) is respectfully requested.

<u>CLAIM 23</u>

The method of claim 23 is "employed by a first application operating in a system supporting concurrent operation of a plurality of network compatible applications" and includes the activities of "enabling user access to a first application of a plurality of concurrently operating applications in response to validation of user identification information." The "activity indication" is "communicated sufficiently often to prevent an inactivity timeout of said first application being initiated during **normal operation** of said first application by said managing application in response to said timeout window being exceeded." Cohen (with Tran) does not suggest such features. As recognized in the Rejection page 3, Cohen does not teach a system able "to prevent an inactivity timeout of said first application being initiated during **normal operation** of said first application." Applicant respectfully submits that the Examiner is incorrect in maintaining on page 8 of the Rejection that Tran (with Cohen) teaches a system able to "prevent an inactivity timeout of said first application being initiated during **normal operation** of said first

application" by a "managing application" in response to a "timeout window being exceeded."

Tran, in column 9 lines 14, 23 and lines 42-62 relied on in the Rejection, describes a system for searching "its database to find the web page of the network server" or a "network's general web site." In the "illustrative example, for IBM organization, LDAP begins the search for the userid at the first IBM location in the database (Austin) and continues sequentially through the different IBM locations...If one of the locations is unavailable (for example, the network server is down), the process continues to the next location after a timeout condition is reached. For illustrative purposes, this timeout condition may occur after 5 seconds or after 5 tries to access the server or network at a location is unsuccessful. The timeout condition is used to prevent the search from stalling at an unaccessible location. A check is made for the occurrence of a timeout so that the process continues smoothly" (Tran column 9 lines 43-57).

The Tran (with Cohen) timeout function is **fundamentally different** to the claimed method and comprises a different function employed in a different manner to achieve a different result that addresses a different problem. The re-try or timeout system of Tran, relied on in the Rejection, addresses an **abnormal** condition, specifically, "this timeout condition may occur after 5 seconds or after 5 tries to access the server or network at a location is **unsuccessful**" to "prevent the search from **stalling** at an **unaccessible** location" (Tran column 9 lines 52-56) and is not related to "**normal operation**" of a "first application" at all. In the Tran system, an LDAP compatible application searches for a "web page of the network server" or a "network's general web site" ("LDAP begins the search for the userid at the first IBM location in the database (Austin) and continues sequentially through the different IBM locations...timeout condition may occur after 5

seconds or after 5 tries" by the LDAP application "to access the server or network" (Tran column 9 lines 45-55)). Consequently, the timeout condition occurs in response to a periodic clock measurement i.e., of "5 seconds" or a re-try count "after 5 tries" by the LDAP **application** and **independently** of **user initiated activity** and is NOT an indicator of "**activity**" but merely that a search by an LDAP application has timed out due to an **abnormal** (e.g. an "**unaccessible**" location) condition.

The timeout condition in Tran is generated even when there is no user activity in the LDAP application. Therefore, the Cohen with Tran system does not suggest a "first application" of a "plurality of concurrently operating applications for intermittently communicating an **activity** indication" generated "in response to **user action**" to "a managing application" to "prevent an inactivity timeout" of the "first application being initiated during **normal operation** of said first application". Further, Tran (with Cohen) fails to show or suggest generation of an "activity indication notification" in response "to **user action** and being communicated sufficiently often to prevent an inactivity timeout of said first application being initiated **during normal operation** of said first application by said managing application in response to said timeout window being exceeded." Also, since the Tran (with Cohen) timeout condition is generated by an application **independent** of **user** action, the Cohen with Tran system is incapable of "monitoring and controlling a duration of a **user** session," in contrast to the claimed arrangement.

The re-try or timeout system of Tran (with Cohen), relied on in the Rejection, addresses an **abnormal** condition, specifically, "this timeout condition may occur after 5 seconds or after 5 tries to access the server or network at a location is **unsuccessful**" to "prevent the search from **stalling** at an **unaccessible** location" (Tran column 9 lines 52-56) and is not related to "**normal operation**" of a "first application." In contrast, in the

claimed arrangement, a "first application" of a "plurality of concurrently operating applications" intermittently communicates "an **activity** indication" generated "in response to **user action**" to "prevent an **inactivity** timeout" of the "first application being initiated" during "normal operation of said first application" in response to the "timeout window being exceeded." The communicated "activity indication" is used to identify a "**normal**" condition of user inactivity in employing an application, whereas the Cohen with Tran system identifies a purely **abnormal** condition comprising a failure circumstance. Further, incorporating the re-try timeout mechanism of Tran into the Single Sign On system of Cohen, as suggested in the Rejection, results in a system for detecting an **abnormal** condition during user Logon and initiates a timeout "after 5 seconds or after 5 tries" for example, when it is "unsuccessful" in accessing a server or network, and thus can only detect a **failure condition**. This combined system is incapable of preventing "**inactivity** timeout" of a "first application being initiated" in response to **user inactivity**.

The re-try timeout mechanism of Cohen with Tran addresses the problem of managing an **abnormal** condition and detecting a **failure condition** during user Logon by initiating a timeout condition "after 5 seconds or after 5 tries" that are "unsuccessful" in accessing a server or network, for example, (Tran column 9 lines 52-56) and does not recognize, contemplate or address the problems of application **inactivity** management under "**normal**" operating conditions. Therefore, Cohen with Tran provides no problem recognition, motivation, or other reason for incorporating the claimed features. Consequently withdrawal of the Rejection of claim 23 under 35 USC 103(a) is respectfully requested.

CLAIM 24

The method of claim 24 is used "in a system supporting concurrent operation of a plurality of network compatible applications" and comprises the activities of "intermittently

receiving activity indications from a plurality of concurrently operation applications of a particular operating session of a user, an individual activity indication being generated in response to user action; updating a single activity status indicator associated with said plurality of concurrently operating applications of said particular operating session, in response to said received activity indications; comparing said single activity status indicator with a time-out threshold value to identify a time-out event indicated by a status indicator exceeding said time-out threshold and occurring during normal operation of an application; and re-initializing said plurality of concurrently operation applications in response to said comparison." Application respectfully submits that these features are neither shown nor suggested by Cohen with Tran. Independent method claim 24 is considered to be patentable for reasons given in connection with claims 1 and 10 and for additional reasons.

Claim 24 is also considered to be patentable because Cohen with Tran does not show or suggest a method involving "intermittently receiving **activity** indications from a plurality of concurrently operating applications of a particular operating session of a user, an individual activity indication being generated in response to **user action**" and further including the activity of "updating a single activity status indicator associated with said plurality of concurrently operating applications of said particular operating session, in response to said received activity indications". Cohen in column 8 and Figure 5 relied on in the Rejection, with Tran, fails to suggest a method involving "intermittently receiving activity indications from a plurality of concurrently operating applications of a particular operating session of a user" and "an individual activity indication being generated in response to user action" and further including the activity of "**updating a single activity status indicators** associated with said plurality of concurrently operating applications of said particular operating session, in response to said received activity indications". Cohen

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with Tran fails to suggest "comparing said single" user responsive "**activity** status indicators with a time-out threshold value to identify a time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application; and re-initializing said plurality of concurrently operating applications in response to said comparison". Rather, Figure 5 of Cohen, relied on in the rejection, merely describes a screen displaying the systems/applications (targets) the user is able to logon to and the status of the logon process, namely whether the user is logged in to the target or not. There is no indication or even suggestion of activity status indicators, let alone "a **single activity** status indicator with a time-out threshold value to identify a time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application; and re-initializing said plurality of concurrently operating applications in response to said comparison" as recited in the present claimed invention.

Contrary to the assertions in the rejection, Column 8, lines 45-62 of Cohen neither discloses nor suggests "updating a single activity status indicators associated with said plurality of concurrently operating applications of said particular operating session, in response to said received activity indications," as recited in the present claimed invention. Rather, this passage of Cohen (with Tran) merely describes avoiding "target passwords being revealed to SSO administrators (or others)" by encrypting the password field with a master key. This makes absolutely no mention or even suggestion of **"updating a single activity status indicator** associated with said plurality of concurrently operating applications of said particular operating session, in response to said received activity indications" as recited in the present claimed invention. Further, Cohen is concerned with providing a mechanism for allowing different passwords for different target systems and applications and only requiring the user to remember one password to log into the

mechanism. This is wholly unlike the present claimed invention which is concerned with monitoring the activity status of concurrently operating applications for time-out events. Cohen with Tran fail to disclose or suggest "receiving activity indications...generated in response to user action," **"updating a single activity status indicator"** and "comparing said single **activity** status indicators with a time-out threshold value to identify a time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application."

The re-try timeout mechanism of Cohen with Tran addresses the problem of managing an **abnormal** condition and detecting a **failure condition** during user Logon by initiating a timeout condition "after 5 seconds or after 5 tries" that are "unsuccessful" in accessing a server or network, for example (Train column 9, lines 52-56) and does not recognize, contemplate or address the problems of application **inactivity** management under **"normal"** operating conditions. Therefore, Cohen with Tran provides no problem recognition, motivation, or other reason for incorporating the claimed features. Consequently withdrawal of the Rejection of claim 24 under 35 USC 103(a) is respectfully requested.

VIII   CONCLUSION

Cohen with Tran, alone or in combination, neither discloses nor suggests an "entitlement processor for enabling user access to a first application of a plurality of currently operating applications in response to validation of user identification," as recited in the present claimed invention. Furthermore, Cohen with Tran neither discloses nor suggests, "a communication processor employed by said first application of said plurality of concurrently operating applications for intermittently communicating an activity

indication to a managing application within a timeout window, said activity indication being generated in response to user action and being communicated sufficiently often to prevent an inactivity timeout of said first application being initiated during normal operation of said first application by said managing application in response to said timeout window being exceeded," as recited in the present claimed invention.

Accordingly it is respectfully submitted that the rejection of Claims 1– 24 should be reversed.

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APPENDIX I - APPEALED CLAIMS

1. (Previously Presented) A system for use in a first application concurrently operating together with a plurality of network compatible applications, comprising:

an entitlement processor for enabling user access to a first application of a plurality of concurrently operating applications in response to validation of user identification information; and

a communication processor employed by said first application of said plurality of concurrently operating applications for intermittently communicating an activity indication to a managing application within a timeout window, said activity indication being generated in response to user action and being communicated sufficiently often to prevent an inactivity timeout of said first application being initiated during normal operation of said first application by said managing application in response to said timeout window being exceeded.

2. (Previously Presented) A system according to claim 1, wherein

said intermittently communicated activity indication prevents an inactivity timeout of said plurality of concurrently operating applications of a particular user initiated session.

3. (Original) A system according to claim 1, wherein

said communication processor stores a plurality of activity indications and sends said plurality of activity indications as a batch to said managing application.

4. (Previously presented) A system according to claim 1, wherein

said normal operation comprises application operation exclusive of abnormal operation comprising an application failure condition and

said user action comprises at least one of, (a) keyboard activity, (b) mouse activity, (c) other data entry device activity and (d) another user initiated PC application operation activity.

5. (Previously Presented) A system according to claim 1, wherein

said first application and said managing application reside in the same PC and

said activity indication notifies said managing application of activity by said first application and includes one or more of, (a) a session identifier for identifying a particular user initiated session, (b) a URL to be contacted if said activity notification is not

successful, (c) an identification of a type of event preventing said activity notification from being successful.

6. (Original) A system according to claim 1, wherein

said communication processor intermittently communicates activity indications to said managing application using a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user operation session identifier from said managing application and (b) sending a URL to said managing application.

7. (Original) A system according to claim 1, wherein

said communication processor communicates to said managing application a request to receive an activity indication associated with said first application and maintained by said managing application, said activity indication indicating time since the last activity update.

8. (Previously Presented) A system according to claim 1, wherein

individual applications of said plurality of concurrently operating applications independently intermittently communicate an activity indication to said managing application and

said communication processor communicates with a browser application providing a user interface display permitting user entry of identification information for validation by said entitlement processor.

9. (Original) A system according to claim 1, wherein

said communication processor communicates a time-out threshold value comprising said timeout window to said managing application.

10. (Previously Presented) A system for use by a managing application supporting concurrent operation of a plurality of Internet compatible applications, comprising:

an input processor for intermittently receiving activity indications from a plurality of concurrently operating applications, an individual activity indication being generated in response to user action;

an activity monitor for updating individual activity status indicators, corresponding to said plurality of concurrently operating applications, in response to said received activity indications;

a comparator for comparing individual activity status indicators with corresponding time-out threshold values to identify an application time-out event indicated

by a status indicator exceeding said time-out threshold and occurring during normal operation of an application; and

a communication processor for communicating notice of said application time-out event to one of said plurality of concurrently operating applications.

11. (Previously Presented) A system according to claim 10, wherein

said activity indications received by said input processor are provided in response to a user action and

said user action comprises at least one of, (a) keyboard activity, (b) mouse activity, (c) other data entry device activity and (d) another user initiated PC application operation activity.

12. (Original) A system according to claim 10, wherein

an activity status indicator comprises a time indication identifying when activity of a particular application was last reported, and

said time-out threshold comprises a predetermined time duration and said managing application determines said particular application to be inactive if said time indication exceeds said time-out threshold.

13. (Original) A system according to claim 10, wherein

said input processor receives activity indications from a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user operation session identifier from said managing application and (b) sending a URL to said managing application.

14. (Original) A system according to claim 10, wherein

said communication processor communicates notice of said application time-out event to applications of said plurality of concurrently operating applications that have previously requested a notification of session termination.

15. (Original) A system according to claim 10, wherein

said communication processor communicates notice of said application time-out event in response to at least one condition of, (a) a received command requesting notification and (b) a received communication from an application session having previously produced a time-out event and (c) automatically upon generation of said time-out event.

16. (Original) A system according to claim 10, wherein

said activity indication includes one or more of, (a) an identification of a

particular user initiated session, (b) a URL to be contacted if said activity notification is not successful, (c) an identification of a type of event preventing said activity notification from being successful.

17. (Original) A system according to claim10, wherein

said corresponding time-out threshold values comprise a common timeout period for said plurality of concurrently operating applications.

18. (Original) A system according to claim10, wherein

said comparator uses a predetermined default value for said time-out threshold values.

19. (Previously presented) A system supporting concurrent operation of a plurality of Internet compatible applications, comprising:

a browser application providing a user interface display permitting user entry of identification information and commands for a plurality of Internet compatible applications; and

a managing application for receiving activity indications from a plurality of concurrently operating applications, an individual activity indication being generated in response to user action, said plurality of concurrently operating applications being initiated by user commands via said browser user interface, said received activity indications being provided by individual applications sufficiently frequently to prevent an inactivity timeout of said individual applications and during normal operation of an individual application.

20. (Original) A system according to claim 19, wherein

said activity indication notification includes one or more of, (a) an identification of a particular user initiated session, (b) a URL to be contacted if said activity notification is not successful, (c) an identification of a type of event preventing said activity notification from being successful.

21. (Original) A system according to claim 19, wherein

a common timeout period is used as said inactivity timeout for said plurality of concurrently operating applications.

22. (Previously presented) In a system supporting concurrent operation of a plurality of network compatible applications, a method comprising the activities of:

intermittently receiving activity indications from a plurality of concurrently operating applications, an individual activity indication being generated in response to user action;

updating individual activity status indicators, corresponding to said plurality of concurrently operating applications, in response to said received activity indications;

comparing individual activity status indicators with corresponding time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during normal operation of an application; and

communicating notice of said application time-out event to one of said plurality of concurrently operating applications.

23. (Previously presented) A method employed by a first application operating in a system supporting concurrent operation of a plurality of network compatible applications, said method comprising the activities of:

enabling user access to a first application of a plurality of concurrently operating applications in response to validation of user identification information; and

supporting intermittent communication by said first application of an activity indication to a managing application within a timeout window, said activity indication notification being generated in response to user action and being communicated sufficiently often to prevent an inactivity timeout of said first application being initiated during normal operation of said first application by said managing application in response to said timeout window being exceeded.

24. (Previously presented) In a system supporting concurrent operation of a plurality of network compatible applications, a method comprising the activities of:

intermittently receiving activity indications from a plurality of concurrently operating applications of a particular operating session of a user, an individual activity indication being generated in response to user action;

updating a single activity status indicator associated with said plurality of concurrently operating applications of said particular operating session, in response to said received activity indications;

comparing said single activity status indicator with a time-out threshold value to identify a time-out event indicated by a status indicator exceeding said time-out threshold and occurring during normal operation of an application; and

re-initializing said plurality of concurrently operating applications in

response to said comparison.

APPENDIX II - EVIDENCE

Applicant does not rely on any additional evidence other than the arguments submitted hereinabove.

APPENDIX III - RELATED PROCEEDINGS

Applicant respectfully submits that there are no proceedings related to this appeal in which any decisions were rendered.

APPENDIX IV   -   TABLE OF CASES

1.   *In re Howard*, 394 F. 2d 869, 157 USPQ 615, 616 (CCPA 1968)

2.   29 AM. Jur 2D Evidence S. 33 (1994)

3.   *In re Ahlert*, 424 F. 2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970)

4.   *In re Eynde*, 480 F. 2d 1364, 1370; 178 USPQ 470, 474 (CCPA 1973)

5.   *In re Fine*, 5 USPQ 2d 1600, (Fed Cir. 1988)

6.   ACS Hospital Systems Inc v. Montefiore Hospital, 221 USPQ 929,933

      (Fed. Cir. 1984)

7.   *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 USPQ 459, 467 (CCPA 1966)

8.   *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 USPQ2d 1434, 1438

      (Fed.Cir. 1988), *cert. denied*, 488 U.S. 825 (1988)

9.   *Ashland Oil Inc. v. Delta Resins & Refractories, Inc.*, 776 F.2d 28, 293, 227 USPQ

      657, 664 (Fed.Cir. 1985), *cert. denied*, 475 U.S. 1017 (1986)

10.   *In re Oetiker*, 977 F2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992)

APPENDIX V   -   LIST OF REFERENCES

U.S. Pat. No.	Issued Date	102(e) Date	Inventors
6,178,511 B1	January 23, 2001		Cohen et al.
6,505,238 B1	January 7, 2003		Tran

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